

REMARKS

In response to the Office Action mailed on May 18, 2007 (herein referred to as "Office Action"), Applicant respectfully requests reconsideration based on the above claim amendments and following remarks. Applicant respectfully submits that the claims presented are in condition for allowance.

The Applicant acknowledges with appreciation the telephonic interview granted by the Examiner conducted on August 10, 2007 concerning the claim objections to claims 1-25. The Examiner indicated that a further search and consideration may be necessitated upon review of the claim amendments made in the amendment submitted on January 17, 2006.

Claims 1-30 are pending. Claims 26 and 30 have been amended to overcome the rejections under 35 U.S.C. §101.

Claim Rejections - 35 U.S.C. § 101

In item 2, on page 2 of the Office Action, claims 26-30 were rejected under 35 U.S.C. §101 as not-statutory. According to the Office Action "claim 26 . . . lacks the proper preamble necessary for a statutory computer program product claim" (Office Action, page 2, lines 6-7).

Claim 26 is herein amended and now recites a "computer apparatus" which is within the technological arts. Therefore, claim 26 recites statutory subject matter and is allowable. Claim 30 depends from claim 26 and is allowable for at least the reasons discussed in regard to claim 26.

In addition, claims 27, 28 and 29 are directed to statutory subject matter, because they depend from independent claims 1, 21 and 22 respectively, which all recite statutory subject matter and are allowable. Therefore, it is respectfully requested that the rejections of claims 26-30 under 35 U.S.C. §101 be withdrawn in the next Office Action.

Claim Objections

Claims 1-25 were objected to because "the amendment submitted on 1/17/06 is not legible" (Office Action, page 2, lines 12-13). Applicant herein provides a legible version of the claims of the instant application (herein after referred to as "Attachment A").

In addition, Applicant maintains, as stated in the Applicant's amendment of January 17, 2006 and Applicant's response of February 6, 2007, that the applied art of record fails to teach, either expressly or inherently, at least the recitation: "responsive to a particular caller identification associated with a particular caller, sending the incoming call to a voice mail system without alerting the user of the incoming call"(claim 1, lines 21-22). Thus the applied art fails to teach each element recited in claim 1 and claim 1 is allowable.

Independent claims 21, 22 and 26 include recitations of "responsive to a particular caller identification associated with a particular caller, sending the incoming call to a voice mail system without alerting the user of the incoming call" in a manner similar to claim 1.

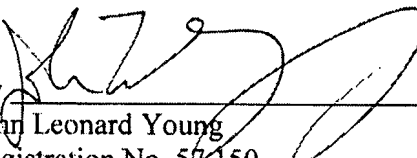
Dependent claims 2-20 and 27 depend from claim 1. Dependent claim 28 depends from claim 21. Dependent claims 23-25 and 29 depend from claim 22; and claim 30 depends from claim 26. Therefore, claims 2-30 are allowable for at least the reasons discussed in regard to claim 1. Applicant respectfully requests that the rejections of claims 1-30 under 35 U.S.C. 102 be withdrawn in the next Office Action.

Conclusion

In view of the foregoing, it is respectfully submitted that claims 1-30 pending in the application are in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,

By 
John Leonard Young
Registration No. 57,150
CANTOR COLBURN LLP

55 Griffin Road South
Bloomfield, CT 06002
Telephone (404) 607-9991
Facsimile (404) 607-9981
Customer No. 36192
Date: August 16, 2007